



*Martin O'Malley, Governor  
Anthony G. Brown, Lt. Governor  
John R. Griffin, Secretary  
Joseph P. Gill, Deputy Secretary*

## **Scoping – Draft Regulations – 4/16/12**

### **Blue Crab FMP Amendment**

A new benchmark stock assessment for the Chesapeake Bay blue crab population and associated fisheries was completed in 2011 (Miller et al, 2011). This assessment generated new biological reference points specific to the female component of the blue crab population. In August of 2011, the Chesapeake Bay Stock Assessment Committee (CBSAC) met to review the assessment and recommended that the jurisdictions adopt the new female-specific reference points. In order to ensure that male abundance does not drop below a critical level relative to female abundance, the CBSAC also recommended the development of a threshold reference point for male crabs that would provide a management trigger for male conservation (CBSAC, 2011). Amendment #2 to the 1997 Chesapeake Blue Crab Fishery Management Plan provides the mechanism for formally adopting the new biological reference points and control rule. Amendment #2 also establishes the need for developing a male threshold reference point; and, recognizes the importance of fishery-independent and fishery-dependent monitoring. Amendment #2 replaces the first six actions in the 2003 Amendment #1 to the 1997 Chesapeake Blue Crab Fishery Management Plan.

Scoping: Online comment must be received by 4/23/12; New reference points have been discussed in previous Estuarine and Marine Fisheries Updates at SFAC/TFAC and further information will be provided at April 2012 SFAC/TFAC meetings.

### **Oyster Power Dredge Permit Removal**

Currently, the Department requires oyster harvesters using a power dredge to obtain a free permit for the activity. This was necessary to determine the amount of power dredge effort. Recent regulation changes require all oyster harvesters to report activity to the Department by gear type. Therefore, the Power Dredge permit as a tool to determine activity is no longer needed.

Scoping: Online comment must be received by 4/23/12

### **Blue Crabbing Charters/Education Permits**

Currently, the Department does not have rules pertaining to crabbing charters consolidated into one regulation. This has caused some confusion for individuals who want to charter crabbing trips. The Department would like to have one regulation which lays out all the rules in one place. A commercial tidal fish license holder with a fishing guide authorization may take recreational crabbers out crabbing for compensation. The paying customers are required to follow recreational crabbing rules and the vessel limit of 2 bushels applies.

Additionally, some tidal fish license holders would like to take individuals out on educational tours, which may include giving a demonstration of commercial activities. The regulation will clarify that an education permit is required for this activity.

Scoping: Online comment must be received by 4/23/12

### **Nontidal 2013 Regulations**

A wording change is needed to better describe the Put-and-Take Trout Fishing Area on Bear Creek in Garrett County. The current wording refers to “watershed” and does not accurately describe the area under Put-and-Take management. The plan is to change the wording from “watershed” to “from the corner of Fish Hatchery Road and Rabbit Hollow Road downstream to the confluence with the Youghiogheny River at Friendsville.

The North Jennings Run Put-and-Take Trout Fishing Area is adjacent to the Jennings Run Put-and-Take Trout Fishing Area in Allegany County, but each has a different closure schedule. Inland wants to place both areas under a 2, 3 closure to make enforcement easier for the Natural Resources Police. (Jennings Run is currently a 2, 3, but North Jennings is a 1, 3).

Establish Catocin Creek (Frederick Co) within the boundaries of Catocin Creek Park as a Delayed Harvest Trout Fishing Area. The recently developed park contains over a mile of Catocin Creek offering a much needed public stream access in southern Frederick County. Water quality and fishery data suggest that the greatest trout fishing opportunities can be provided cost effectively with delayed harvest regulations. Once again, Frederick County Parks and Recreation have expressed support of this proposal, but we are awaiting final approval.

Change existing total Catch and Release regulation to Limited Harvest on Governors Bridge Natural Area Pond. Several electrofishing surveys have shown that the total catch and release is a bad choice, the pond is overcrowded. This area is managed by MNCPPC and they agree the pond should be Limited Harvest.

Scoping: Online comment must be received by 5/31/12

### **Scoping Updates:**

#### **Gear**

Creates a chapter of regulation that specifically lists recreational fishing gear and certain commercial fishing gear and restrictions pertaining to the gears' uses.

Scoping: Online comment must be received by 4/20/12 (likely will be extended with more information provided); Open House scoping meetings will occur (likely in May or June); Looking for 3 TFAC and 3 SFAC members to meet with staff as part of a workgroup to review draft prior to Open Houses

### **Free Fishing Areas – Coast**

With the expansion of the Chesapeake Bay Sportfish license (now known as the Chesapeake and Coastal Sportfishing license) to include Maryland's coastal waters, advocacy for locations on Maryland's coast has been brought to MD DNR. To address the existing requests from the Town of Ocean City and DNR's Coastal Fisheries Advisory Committee, DNR Fisheries staff visited three proposed areas (Northside Park at 125th Street, Bulkhead behind the Ocean City Convention Center at 42nd Street, and the Chicago Avenue bulkhead between 2nd and 4th streets). These three areas have been formally requested by the Town of Ocean City, and MD DNR's Coastal Fisheries Advisory Committee. MD DNR Fisheries Service staff met with representatives of local bait & tackle stores, fishing clubs, and the Town of Ocean City to obtain feedback on support for the three proposed areas.

Scoping: Scoping meeting will be held at the Worcester County Library Ocean Pines Branch, 11107 Cathell Road, Ocean Pines, Maryland 21811 on April 10, 2012. The meeting will be an open house format where staff will be available from 6pm to 8pm to discuss the areas and obtain feedback. Online comment must be received by 4/11/12.

### **Striped Bass**

The purpose of the proposed regulation is to place a cap on the number of pound net and Atlantic commercial striped bass permits based on the number of permits held as of December 19th, 2011. This cap will remain in effect only through 2013. Since 2009, there has been a shift in gear type participation as gill net and hook and line permit holders changed gears and entered the pound net and Atlantic fisheries. As a result of 80 new pound net and 17 new Atlantic permits, the strategy for quota distribution has changed. Over the last three years, the Striped Bass Industry Work Group has recommended that the Department move allocation from the hook & line and gill net fisheries to account for all of the new entrants in the pound net and Atlantic fisheries. The main reason for this is because both the pound net and Atlantic fisheries operate under an individual quota permit system. These individual quotas have seen significant reductions with the increase in participation in these fisheries.

Realizing that this trend will continue to cause significant allocation problems for everyone involved in the striped bass fishery, the Striped Bass Industry Work Group has suggested a cap on participation in these fisheries as a short-term solution while the Work Group works with the Department on a long term change in the striped bass management strategy. This will stop the shift in gear participation into these two fisheries and freeze the quota allocations to the gear sectors through 2013.

Scoping: Online comment was due by 4/12/12; Regulation idea came from the Striped Bass Industry Work Group; TFAC received a letter via email asking for comment (letter sent on 3/22/12 and requested replies by 3/26/12); All permit holders were sent a letter requesting feedback as well